

REMARKS

In the Office Action dated March 20, 2002, claims 2, 5, 6, 8, 14, 15, and 19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-13 and 16-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,324,351 to Kurimoto et al. The Office Action indicates that claims 14 and 15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims.

Applicant expresses appreciation to the Examiner for the indication of allowable subject matter.

By this Amendment, Applicant has cancelled claim 10, without prejudice or disclaimer; amended claims 1, 2, 5, 6, 8, 14-15, and 17-19; and added new claims 20-22. Accordingly, claims 1-9, 11-22 are presently pending in this application.

Attached hereto is a marked-up version of the changes made to the claims by this Amendment. The attached page is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

Applicant respectfully submits that by the cancellation of claim 10, the corresponding claim rejection under 35 U.S.C. § 102 is now moot.

Claims 2, 5, 6, 8, 14-15, and 19 have been amended to improve the form and expressions. Applicant respectfully submits that claims 2, 5, 6, 8, 14-15, and 19, as originally filed, already conformed to the requirements of 35 U.S.C. § 112, second paragraph, because each claim, as

originally filed, provided a definite and distinct scope. Accordingly, Applicant respectfully submits that the rejection of these claims under 35 U.S.C. § 112, second paragraph, was improper. In this Amendment, however, claims 2, 5, 6, 8, 14-15, and 19 have been amended to improve the form and expressions in order to facilitate allowance of the claims.

Applicant respectfully traverses the rejection of claims 1-9, 11-13, and 16-19 under 35 U.S.C. §102(e), as follows.

As an initial matter, Applicant respectfully directs the Examiner's attention to the fact that this application was filed on August 17, 2001, which postdates November 29, 2000. Accordingly, contrary to the Examiner's comments on page 3 of the Office Action, the new provision of § 102(e) under the American Inventors Protection Act of 1999 (AIPA) applies to the examination of this application. The Examiner's acknowledgment is respectfully requested.

Applicant respectfully submits that independent claim 1, as amended, is allowable. Claim 1 recites a combination of elements including the features that "said image forming apparatus has multiple replacement parts within a range to allow the single communication portion to transmit/receive the radio wave to/from them, and the storage media of at least two replacement parts are communicable with the single communication portion on the apparatus main body side." None of the cited references, including Kurimoto et al., teaches or suggests at least the combination of elements having such features of the present invention. As instructed by MPEP §2131, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Accordingly, independent claim 1 is allowable.

Applicant respectfully submits that dependent claims 2-9 and 11-16 are allowable at least because of their dependencies upon allowable claim 1.

Applicant respectfully submits that claims 17-19 are allowable. Claim 17, as amended, is directed to a "periodic replacement part configured to be detachably mounted to an image forming apparatus" that has the features of claim 1. None of the cited references, singly or in combination, teaches or even suggests at least these features of claim 17. Accordingly, Applicant respectfully submits that claim 17 is allowable. Dependent claims 18-19 are allowable at least because of their respective dependencies from allowable claim 17.

Claims 14-15, as originally filed, which are indicated as allowable in the Office Action, have been rewritten as new claims 20-21 in independent form to include all of the limitations of base claim 1 in accordance with the Office Action's suggestion for allowability. Accordingly, new claims 20-21 are allowable. Applicant has also added new claim 22 in this Amendment to further define the subject matter of the invention. Applicant respectfully submits that new claim 22 is allowable.

In view of the foregoing, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under

37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted

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Dated: July 18, 2002

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 10 has been cancelled without prejudice or disclaimer.

Claims 1, 2, 5, 6, 8, 14-15, and 17-18 have been amended as follows:

1. (Amended) An image forming apparatus, comprising:

a plurality of periodic replacement parts each including a storage medium that stores information on the replacement part therein; and

a main body of said image forming apparatus to which said periodic replacement part is detachably mounted [and], the main body including a single communication portion;

wherein said main body reads the information stored in said storage medium through said single communication portion using a radio wave, and

wherein said image forming apparatus has multiple replacement parts within a range to allow the single communication portion to transmit/receive the radio wave to/from them, and the storage media of at least two replacement parts are communicable with the single communication portion on the apparatus main body side.

2. (Amended) The image forming apparatus according to claim 1, wherein said communication portion uses [a] the radio wave having a predetermined wavelength.

5. (Amended) The image forming apparatus according to claim 1, wherein [the] a memory region of said storage medium of said replacement part allows only writing and reading.

6. (Amended) The image forming apparatus according to claim 1, wherein information originally stored in [the] a memory region of said storage medium of said replacement part is neither rewritable nor erasable.

8. (Amended) The image forming apparatus according to claim 1, wherein the information stored in said storage medium of said replacement part is used to control the operation of said main body, and the operation of said main body is changed depending upon [the] a kind of said replacement part.

14. (Amended) The image forming apparatus according to claim 1, further comprising a control portion notifying an operator of the detection if said communication portion of said main body detects a larger number of the storage media than the number of replacement parts mountable to said image forming apparatus.

15. (Amended) The image forming apparatus according to claim 1, wherein if said communication portion of said main body detects a larger number of the storage media than the number of replacement parts mountable to said image forming apparatus, information in said storage media is not reflected on the control of said main body.

17. (Amended) A periodic replacement part configured to be detachably mounted to an image forming apparatus, said image forming apparatus including a plurality of the periodic replacement parts each including a storage medium that stores information on the replacement part therein; and a main body of said image forming apparatus to which said periodic replacement part is detachably mounted, the main body including a single communication portion, wherein said main body reads the information stored in said storage medium through said single communication portion using a radio wave, and wherein said image forming apparatus has multiple replacement parts within a range to allow the communication portion to transmit/receive the radio wave to/from them, and the storage media of at least two replacement parts are communicable with the single communication portion on the apparatus main body side,

said replacement part comprising:

[a] the storage medium that stores information on said replacement part, and the information stored in said storage medium can be read on said main body by [a] the communication portion communicating through [a] the radio wave.

18. (Amended) The replacement part according to claim 17, [further comprising] wherein said image forming apparatus further includes a moving device that movably mounts said replacement part to said image forming apparatus, and moves said replacement part to a position where the storage medium of said replacement part can communicate with said communication portion of said main body side.

19. (Amended) The replacement part according to claim 17, wherein information stored in the storage medium of said replacement part is used for controlling the operation of said image forming apparatus, and the operation of said image forming apparatus is changed based on [the] a kind of the replacement part.

New claims 20-22 have been added.